

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

NICANDRO GARCIA PEREZ,  
Defendant.

**4:23CR3117**

**ORDER**

Defendant has moved to continue the pretrial motion deadline, (Filing No. 25), because defense counsel needs 5 additional days to draft and file the pretrial motions in this matter due to the press of other business. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (Filing No. 25), is granted.
- 2) Pretrial motions and briefs shall be filed on or before February 14, 2024.
- 3) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and February 14, 2024 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 9th day of February, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge